

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PPS DATA, LLC,

Plaintiff,

v.

JACK HENRY & ASSOCIATES, INC.,

Defendant.

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CIVIL ACTION NO. 2:18-CV-00007-JRG

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions I have given you in the Court's Final Instructions to the Jury (which has sometimes been called the Court's Charge to the Jury). Your answers to each question must be **unanimous**. Some of the questions contain legal terms that are defined and explained in detail in the Court's Charge to the Jury. You should refer to and consider the Court's Charge to the Jury as you answer the questions in this Verdict Form.

In this Verdict Form, the following terms have the following meanings:

“PPS Data” refers to PPS Data, LLC.

“Jack Henry” refers to Jack Henry & Associates, Inc.

“The ’106 Patent” refers to United States Patent No. 7,216,106.

“The Asserted Claims” refers collectively to Claims 1, 2, 3, 4, 5, 6, and 9 of the
’106 Patent.

QUESTION NO. 1

Did PPS Data prove by a preponderance of the evidence that Jack Henry directly infringed **ANY** of the Asserted Claims in the '106 Patent?

Please answer "Yes" or "No".

No

QUESTION NO. 2

Did Jack Henry prove by clear and convincing evidence that, from the perspective of a person of ordinary skill in the art, the Asserted Claims of the '106 Patent **ONLY** involve activities that were well-understood, routine, and conventional as of April 28, 2000?

For each claim below, please answer "Yes" or "No".

Claim 1 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 2 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 3 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 4 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 5 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 6 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>
Claim 9 of the '106 Patent:	Yes: <u>✓</u>	No: <u> </u>

If you answered “YES” to Question No. 1 and you answered “NO” to at least one part of Question No. 2, then you should proceed to answer Question No. 3. If you answered “NO” to Question No. 1, or you answered “YES” to all parts of Question No. 2, then do not answer Question No. 3.

QUESTION NO. 3

What sum of money, if any, paid now in cash, has PPS Data proven by a preponderance of the evidence would compensate PPS Data for its damages resulting from Jack Henry’s infringement of the ’106 Patent?

Amount in United States dollars and cents:

\$ _____

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your **unanimous** determinations. The jury foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The jury foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 12 day of September 2019.
